

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

SEP - 1 2009

1:30pm

UNITED STATES OF AMERICA,

Plaintiff,

MATTHEW J. DYKMAN
CLERK

vs.

TOMMY LOPEZ

Case No. 09-2361 ^{MCA} ~~MEH~~

Defendant.

WAIVER OF APPEARANCE AT ARRAIGNMENT
AND ENTRY OF NOT GUILTY

I understand that a Grand Jury returned an Indictment charging me with a criminal offense or offenses.

In connection with this Indictment, I understand that I am entitled to personally appear before the Court at every stage of criminal proceedings, including arraignment.

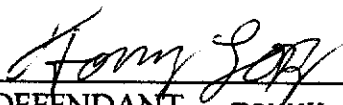
I have received and read a copy of the Indictment or have had the Indictment read to me in my native language, and I understand the offense(s) with which I am charged.

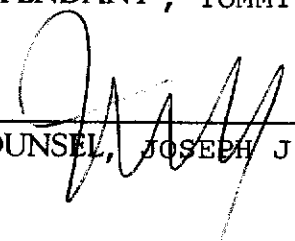
I have been advised of the maximum penalties the Court may impose on me upon a conviction of the offense or offenses charged.

I have been advised of my right of silence; my right to competent legal representation at every critical stage of the proceedings; my right to a trial, including a trial before a jury; my right at such trial to confront my accusers, that is, to see, to hear and to questions witnesses and accusers who come to Court to offer evidence against me; my right to testify, or not to testify, as I so determine; my right to summons witnesses and have my witnesses attend Court and testify on my behalf; and my right to appeal the conviction and sentence if I am convicted.

I have been advised of my right to be presumed innocent and to be free from conviction unless and until the United States is able to prove through competent, admissible evidence, beyond a reasonable doubt, that I committed each essential element of each crime charged.

After reading and understanding the Indictment, the penalties and my rights, and pursuant to Fed.R.Crim.P. 19(b), I request that the Court permit me to waive my personal appearance in Court for the arraignment, and I enter a plea of not guilty to the charges contained in the Indictment.

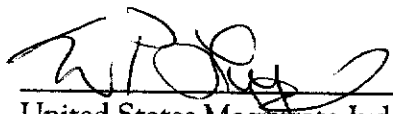

DEFENDANT, TOMMY LOPEZ


COUNSEL, JOSEPH J. REY, JR.

APPROVAL OF JUDGE

Having considered the Defendant's application to waive his/her personal appearance and good cause appearing, I grant/deny the request (circle one).

9-1-09
Date


United States Magistrate Judge